



City of Seattle

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**Department of Planning and Development**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND RECOMMENDATION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3007538

**Applicant Name:** Josh Stepherson for Roger Casey and Mike Gain

**Address of Proposal:** 3210 California Avenue SW

**Council File:** 3007538

**SUMMARY OF PROPOSED ACTION**

Council Land Use Action to rezone 152,755 square feet of land from NC1-30 to NC2-40. The property includes the east and west block front along California Avenue SW between SW Hanford Street and SW Hinds Street. The block front located on the west side of California Avenue SW, extending south 100 feet from SW Hinds Street is included in the rezone request.

The following approvals are required:

**Rezone** - To rezone from NC1-30 to NC2-40 (Seattle Municipal Code 23.34).

**SEPA** - Environmental Determination - Seattle Municipal Code Chapter 25.05.

**SEPA DETERMINATION:** ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS  
☐ DNS with conditions  
☐ DNS involving non-exempt grading, or demolition,  
or another agency with jurisdiction.

## **BACKGROUND DATA**

### **Site and Vicinity Description**

The area proposed to be rezoned is located at the southern end of the Admiral Residential Urban Village (ARUV) in West Seattle, along a section of California Avenue SW.

The site consists of three groups of parcels, for a total of 30 parcels.

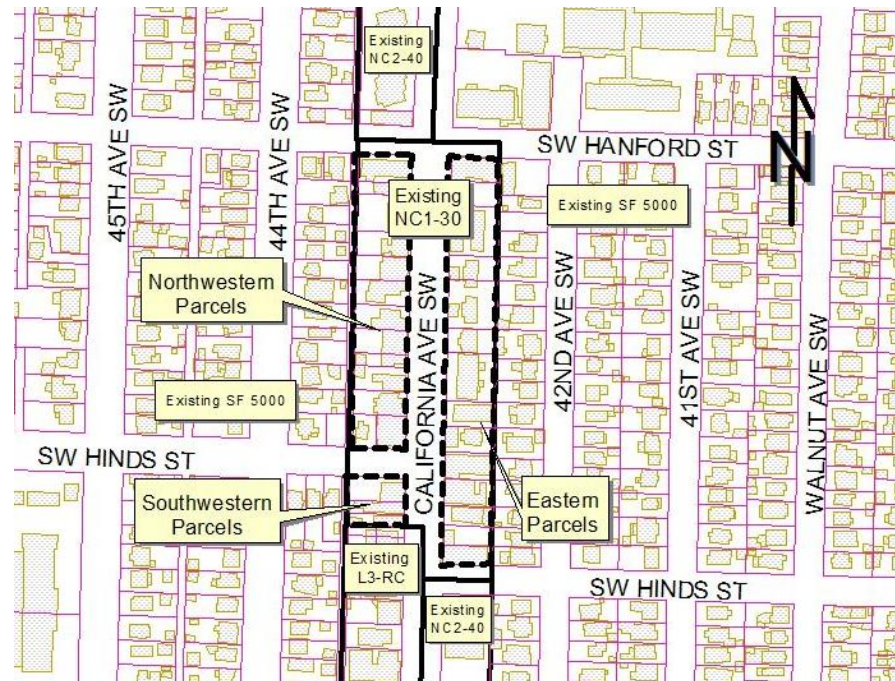
The eastern parcels are bordered by SW Hanford Street to the north, California Ave SW to the west, and SW Hinds St to the south, and abut single family residential lots to the east. The eastern parcels are located within the Admiral Residential Urban Village.

The northwestern parcels are bordered by SW Hanford Street to the north, California Ave SW to the east, SW Hinds St to the south, and single family residential lots to the west. An alley separates the northwestern parcels from the single family residential lots to the west. The northwestern parcels are located within the Admiral Residential Urban Village.

The southwestern parcels are bordered by SW Hinds Street to the north, California Ave SW to the east, single family residential lots to the west, and L3-RC zoned lots to the south. An alley separates the northwestern parcels from the single family residential lots to the west. The southwestern parcels are not located within the Admiral Residential Urban Village.

Nearby zoning includes a mix of commercial, multi-family residential, and single family residential. To the north of the site facing California Ave SW, parcels are zoned NC2-40 (Neighborhood Commercial 2 with a 40-foot height limit). To the south of the site facing California Ave SW, parcels on the east side are zoned NC2-40, and parcels on the west side are zoned L3-RC (Lowrise Multi-family Residential with Residential Commercial). Single Family Residential (SF 5000) zoning is located to the east and west of the site.

Uses in the area include commercial, residential, and mixed-use along California Ave SW. Areas to the west and east are predominantly single family residential.



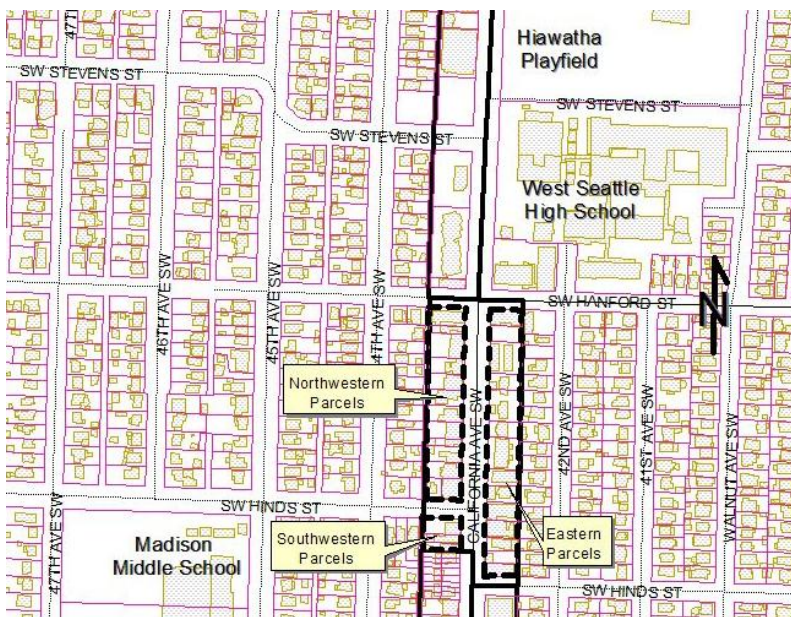
*For illustrative purposes only*

Uses along California Ave SW north of the site include a 48-unit apartment building, fast food, grocery, church institution, school, and park. Uses along California Ave SW south of the site include a hospital institution in the commercially zoned area and newer townhouse residential development in the multi-family zoned area. Uses to the east and west include single family structures in the single family zoned areas. Other nearby uses include a public library, a theater, a health care facility, a pharmacy, churches, banks, restaurants, grocery stores etc.

Building heights range from one to four stories along California Ave SW, and one to three stories in the nearby single family residential zones. Existing development represents a wide range of ages and styles of construction.

The area is located near the ridge of the West Seattle peninsula, and slopes down to the west. There is approximately 18 feet of slope across the eastern parcels and approximately 8 feet of slope across the northwestern and southwestern parcels. The site is not mapped with any environmentally critical areas in the City of Seattle mapping system.

Open space in the area includes Hiawatha Playfield, which is a City of Seattle historic landmark located immediately north of West Seattle High School. Other nearby parks include Fairmount Park approximately ¼ mile to the northeast, and Schmitz Park approximately ½ mile to the west.



*For illustrative purposes only*

Three schools are located nearby. Madison Middle School is located approximately two blocks away, near SW Hinds St and 45<sup>th</sup> Ave SW, and is a City of Seattle historic landmark. West Seattle High School is located immediately to the northeast at SW Hanford St and California Ave SW, and is also a City of Seattle historic landmark. Lafayette Elementary is located two blocks to the north, near SW Lander St and California Ave SW.

California Avenue SW is classified as a Minor Arterial, a Mixed-Use Street, and a Major Transit Street. SW Hanford St east of California Ave SW is classified as a Local Connector, Collector Arterial, a Minor Transit Street, and an On-Street Urban Trail bicycle classification. SW Hinds St, 42<sup>nd</sup> Ave SW, 45<sup>th</sup> Ave SW, and SW Hanford St west of California Ave SW are all non-arterial streets. All streets include on-street parking, sidewalks, and street trees. This section of California Avenue SW has a number of mature trees that line both sides of the street. Parking in the area is located on-street, in surface parking lots, and in structured and below grade parking.

The site slopes from east to west affording some views to the west. The Olympic Mountains and Puget Sound can be seen from many areas across the site, especially the higher properties east of the proposed rezone area.

### Proposal Description

The Land Use Code, Section SMC 23.34, “Amendments to Official Land Use Map (Rezoning),” allows the City Council to approve a map amendment (rezone) according to procedures as provided in Chapter 23.76, Procedures for Master Use Permits and Council Land Use Decisions. The owner/applicant has made application, with supporting documentation, per SMC 23.76.040 D, for an amendment to the Official Land Use Map.

The proposal includes a rezone of the parcels from Neighborhood Commercial 1 with a 30’ height limit (NC1-30) to Neighborhood Commercial 2 with a 40’ height limit (NC2-40). The applicants and their agent have the formal support of the owners of 23 properties within the rezone area.

### Public Comments

Notice of the rezone proposal was issued November 8, 2007. The official public notice period was extended to December 5, 2007 as a result of public request.

On November 29, 2007 a public meeting was held by DPD at West Seattle High School. Sixty-two citizens signed the sign-up sheet at the meeting and several people offered public comment on the proposal.

During the official public comment period, DPD received fifty-five comment letters and emails. Thirty-one letters and emails were in support of the proposed rezone and 24 were opposed.

Comments opposed to the rezone included the following:

- The existing zoning in the Admiral Residential Urban Village already provides adequate development potential in areas currently zoned NC2-40
- There is no specific development plan
- The proposed rezone does not comply with the Admiral Neighborhood Plan
- The proposed rezone area functions more like an NC1 zone than an NC2 zone
- There is no buffer between the proposed rezone area and the single family zoned areas to the east and west
- Traffic congestion will increase
- New construction in the rezone area will cause construction impacts like noise and dust
- The rezone will result in a decline in property values for properties in the single family zone
- Pedestrian safety could be impacted due to increased traffic
- Undesirable businesses may locate in the new buildings
- An increase in parking demand could result in less available on-street parking
- A long-term increase in noise could occur as a result of more people living and working within the rezone area

- There could be more traffic along the alley on the west side of the rezone area
- Views could be impacted
- New buildings could change the character of the neighborhood
- Neighbors want to preserve the small town feel of the Admiral neighborhood
- Some neighbors think the area is developing just fine
- Growth should be focused in other areas of West Seattle and the City of Seattle
- Development would have a negative impact on affordable housing
- No benefit would be provided to the surrounding neighborhood
- The new structures could result in empty storefronts and eliminate businesses due to lack of on-street parking

Comments of support for the proposal included the following:

- The rezone would help revive the California corridor and the local business area and encourage higher quality, better designed buildings
- Improved storefronts would encourage more business and retail to locate in the area
- Forty foot high buildings would be more consistent with the surrounding area and encourage the creation of more housing in a residential urban village, and reduce the pressure to develop in single family zones
- The current zoning does not encourage investment in the area
- The rezone would locate more housing, services and employment near transit and locate housing near infrastructure and service investments like schools, parks, libraries, and retail
- A 40 foot height limit would make development more likely to occur in the rezone area by allowing an additional floor of housing to offset the cost of underground parking
- Underground parking would reduce the demand for on-street parking
- Historically the area was zoned up to 40 feet so it makes sense to rezone it back to 40 feet.
- The area functions more like NC2 than NC1 zones
- New development would shorten the commutes by co-locating live and work opportunities
- NC1-30 zones work well for townhouses, which the neighbors indicated they do not want to see on this block

### **ANALYSIS - REZONE**

The applicable requirements for this rezone proposal are stated in SMC Sections 23.34.007 (rezone evaluation), 23.34.008 (general rezone criteria), 23.34.009 (height limits), 23.34.072 (designation of commercial zones), and 23.34.074 (NC1 zone, function and locational criteria) and 23.34.076 (NC2 zone, function and locational criteria).

Applicable portions of the rezone criteria are shown in *italics*, followed by analysis in regular typeface.

**SMC 23.34.004 Contract rezones.**

- A. Property Use and Development Agreement (PUDA). The Council may approve a map amendment subject to the execution, delivery and recording of an agreement executed by the legal or beneficial owner of the property to be rezoned to self-imposed restrictions upon the use and development of the property in order to ameliorate adverse impacts that could occur from unrestricted use and development permitted by development regulations otherwise applicable after the rezone. All restrictions shall be directly related to the impacts that may be expected to result from the amendment. A rezone shall be conditioned on performance or compliance with the terms and conditions of the property use and development agreement. Council may revoke a contract rezone or take other appropriate action allowed by law for failure to comply with a PUDA. The agreement shall be approved as to form by the City Attorney, and shall not be construed as a relinquishment by the City of its discretionary powers.***

The proposed rezone is not a contract rezone and the applicants have not submitted a proposed project for this rezone.

- B. Waiver of Certain Requirements. The ordinance accepting the agreement may waive specific bulk or off-street parking and loading requirements if the Council determines that the waivers are necessary under the agreement to achieve a better development than would otherwise result from the application of regulations of the zone. No waiver of requirements shall be granted which would be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.***

No waivers are being requested as part of the proposed rezone.

**SMC 23.34.007 Rezone Evaluation.**

- A. The provisions of this chapter shall apply to all rezones, except correction of mapping errors. In evaluating proposed rezones, the provisions of this chapter shall be weighed and balanced together to determine which zone or height designation best meets these provisions. In addition, the zone function statements, which describe the intended function of each zone designation, shall be used to assess the likelihood that the area proposed to be rezoned would function as intended.***

This rezone is not proposed to correct a mapping error, and therefore the provisions of this chapter apply. In evaluating the proposed rezone the provisions of this chapter have been weighed and balanced together to determine which zone and height designation best meets the provisions of the chapter. Additionally, the zone function statements have been used to assess the likelihood that the proposed rezone will function as intended.

- B. No single criterion or group of criteria shall be applied as an absolute requirement or test of the appropriateness of a zone designation, nor is there a hierarchy or priority of rezone considerations, unless a provision indicates the intent to constitute a requirement or sole criterion.***



This analysis evaluated the full range of criteria called for and outlined in Chapter 23.34 Amendments to Official Land Use Map (Rezones) as they apply to the subject rezone (listed at the beginning of this “Analysis” section).

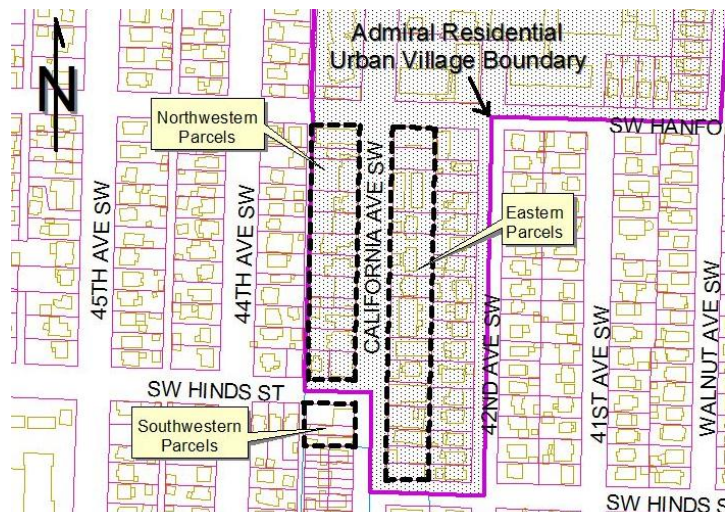
- C. Compliance with the provisions of this chapter shall constitute consistency with the Comprehensive Plan for the purpose of reviewing proposed rezones, except that Comprehensive Plan Shoreline Area Objectives shall be used in shoreline environment redesignations as provided in SMC Subsection 23.60.060 B3.***

The proposed rezone is not a shoreline environment redesignation and so the Comprehensive Plan Shoreline Area Objectives were not used in this analysis.

- D. Provisions of this chapter that pertain to areas inside of urban centers or villages shall be effective only when a boundary for the subject center or village has been established in the Comprehensive Plan. Provisions of this chapter that pertain to areas outside of urban villages or outside of urban centers shall apply to all areas that are not within an adopted urban village or urban center boundary.***

The northwestern and eastern parcels of the subject rezone area are within the Admiral Residential Urban Village. Those parcels fall within the boundary established in the Comprehensive Plan.

The southwestern parcels of the proposed rezone area are not within any urban center or urban village. These parcels have been evaluated according to provisions of this chapter that apply to areas that are outside of urban villages and urban centers.



*For illustrative purposes only*

- E. The procedures and locational criteria for shoreline environment redesignations are located in Sections 23.60.060 and 23.60.220, respectively. The subject rezone area is within the Admiral Residential Urban Village and falls within the boundary established in the Comprehensive Plan.***

The subject rezone is not a redesignation of a shoreline environment and so is not subject to Shoreline Area Objectives.

- F. Mapping errors due to cartographic or clerical mistakes may be corrected through process required for Type V Council land use decisions in SMC Chapter 23.76 and do not require the evaluation contemplated by the provisions of this chapter.***

The subject rezone is not a correction of a mapping error and so should not be evaluated as a Type V Council land use decision.

**SMC 23.34.007 Conclusion:** The proposed rezone meets the requirements of SMC 23.34.007, per the analysis above.

**SMC 23.34.008 General rezone criteria.**

***A. To be approved a rezone shall meet the following standards:***

- 1. In urban centers and urban villages, the zoned capacity for the center or village taken as a whole shall be no less than 125% of the growth targets adopted in the Comprehensive Plan for that center or village.*
- 2. For the area within the urban village boundary of hub urban villages and for residential urban villages taken as a whole the zoned capacity shall not be less than the densities established in the Urban Village Element of the Comprehensive Plan.*

**Northwestern and Eastern Parcels**

The northwestern and eastern parcels of the proposed rezone site are located within the Admiral Residential Urban Village Overlay, as described in the response to SMC 23.34.007.D.

The growth target listed for this Residential Urban Village in Urban Village Appendix A of the Comprehensive Plan is for 200 additional dwelling units between the year 2004 and the year 2024.

The established density target for this Residential Urban Village in Urban Village Appendix A of the Comprehensive Plan is a density of 12 dwelling units per acre by the year 2024. In 2004, the density in this Urban Village was listed at 10 dwelling units per acre.

From 2004 through the third quarter of 2009, twenty one (21) new units were built in the Admiral Residential Urban Village (an average of 4.2 units per year). To meet the 20-year goal of 200 new units, the Admiral district will need to average more than 11 new units per year.

The proposed rezone will not reduce the zoned capacity for the Admiral Residential Urban Village. In fact, the proposed rezone will increase zoned capacity and zoned density by allowing for additional building height, gross floor area, and residential units on the northwestern and eastern parcels. This increases the opportunity for additional housing opportunities and commercial uses.

The proposed rezone is consistent with SMC 23.34.008.A.1 because the increase in zoned capacity does not reduce capacity below 125 percent of the Comprehensive Plan growth target.



This rezone is also consistent with SMC 23.34.008A.2 because the proposed change would not result in less density for this zone than the density established in the Urban Village Element of the Comprehensive Plan.

#### Southwestern Parcels

The southwestern parcels of the proposed rezone area are not located within any urban village or urban center, and therefore these criteria do not apply to that portion of the proposed rezone.

***B. Match between Established Locational Criteria and Area Characteristics. The most appropriate zone designation shall be that for which the provisions for designation of the zone type and the locational criteria for the specific zone match the characteristics of the area to be rezoned better than any other zone designation.***

Analyses comparing the characteristics of the area to the locational criteria for both NC1-30 and the NC2-40 zoning can be found in the responses to SMC 23.34.072 and 23.34.074 below. The parcels proposed for rezone seem to generally better match the NC2-40 zoning, for the reasons stated in the analysis in SMC 23.34.072 and SMC 23.34.074.

***C. Zoning History and Precedential Effect. Previous and potential zoning changes both in and around the area proposed for rezone shall be examined.***

The following is a chronological list of the historical zoning for the subject properties:

- 1923 to 1947 - Business District with a 40 foot height limit
- 1947 to 1957 - Business Area District C (BC) with a 40foot height limit
- 1957 to 1986 - Neighborhood Business (BN) with a 35 foot height limit
- 1986 to 1990 - Neighborhood Commercial 1 with a 40 foot height limit (NC1-40)
- 1991 to Present - Neighborhood Commercial 1 with a 30 foot height limit (NC1-30)

CAP Initiative and Remapping - In 1989 Seattle voters passed Initiative 31, Citizen's Alternative Plan (CAP), which set density and height limits on new construction in downtown Seattle. In response to this, and in recognition of citizen concerns about the pace and scale of development, loss of open space, and increasing traffic in areas outside of the commercial core, maximum height limits were reduced in many areas.

Since 1990 the economy in Seattle and the region experienced growth. As part of the Growth Management Act, the city developed the Seattle Comprehensive Growth Plan, which was adopted in updated in 2004, and made a goal of creating 47,000 additional households by 2024 to accommodate expected growth.

Previous Zoning Change: In the mid-1990's the subject area was included as part of the Admiral Residential Urban Village. NC1 designation is intended for locations outside of urban villages, as described in the locational analysis for SMC 23.34.074 below. NC2 zones are located within urban villages, as described in the locational analysis for SMC 23.34.076 below.

The northwestern and eastern parcels of the subject site were located within the Admiral Residential Urban Village, and the southwestern parcels were located outside the Admiral Residential Urban Village. However, the zoning for all of the subject properties remained NC1-30.

Proposed City-initiated zoning changes currently under review: The 2009 Multi-family code revisions include recommendations to consolidate the Lowrise 3 and Lowrise 4 zones, and allow three to four story building types with building heights of 40 or more feet in these zones. If approved, 40' tall buildings will be permitted in the L3-RC zone on the west side of California Avenue SW immediately south of the subject area.

This change would mean that all properties north and south of the subject properties for this rezone request would be zoned at 40' height. All of the non-public land on California Avenue SW within the Admiral Residential Urban Village, as well as two blocks to the south, would have allowable building heights of 40' or higher, with the exception of the proposed rezone area.

#### ***D. Neighborhood Plans***

- 1. For the purposes of this title, the effect of a neighborhood plan, adopted or amended by the City Council after January 1, 1995, shall be as expressly established by the City Council for each such neighborhood plan.*

Portions of the Admiral Neighborhood Plan were adopted by City Council October 25, 1999. The adopted portions can be found in the City of Seattle Comprehensive Plan Adopted Neighborhood Plans section.

- 2. Council adopted neighborhood plans that apply to the area proposed for rezone shall be taken into consideration.*

The subject property falls within the Admiral Neighborhood Planning area and is covered by the adopted portions of the Admiral Neighborhood Plan.

The proposed rezone is consistent with previous and current recommended zoning changes in and around the neighborhood and Urban Village core, and will facilitate future development that will best accomplish the City's planning objectives.

- 3. Where a neighborhood plan adopted or amended by the City Council after January 1, 1995, establishes policies expressly adopted for the purpose of guiding future rezones, but does not provide for rezones of particular sites or areas, rezones shall be in conformance with the rezone policies of such neighborhood plan.*

The adopted portions of the Admiral Neighborhood Plan include the following land use policies to guide future rezones:

- A-P2 Maintain the character and integrity of the existing single-family zoned areas by maintaining current single-family zoning outside the urban village on properties meeting the locational criteria for single-family zones.

A-P4 The special L3 and L4 locational criteria for the evaluation of rezones to the L3 and L4 designations inside of urban villages, shall not apply in the Admiral Residential Urban Village.

The proposed rezone subject properties are not located in a single family zone, and L3 zone, or an L4 zone. It doesn't appear the adopted portions of the Admiral Neighborhood Plan include any rezone policies that would apply to the proposed rezone.

***E. Zoning Principles. The following zoning principles shall be considered:***

- 1. The impact of more intensive zones on less intensive zones or industrial and commercial zones on other zones shall be minimized by the use of transitions or buffers, if possible. A gradual transition between zoning categories, including height limits, is preferred.*

This rezone will lead to a more contiguous and consistent zoning along California Avenue SW. Existing zoning in the Admiral Neighborhood includes commercial zones in close proximity to less intensive zones, and a lack of buffer or transition between zones. For example, the areas north and south of the proposed rezone include Neighborhood Commercial 2 zoning with a 40 foot height adjacent to Single Family Residential 5000 zones.

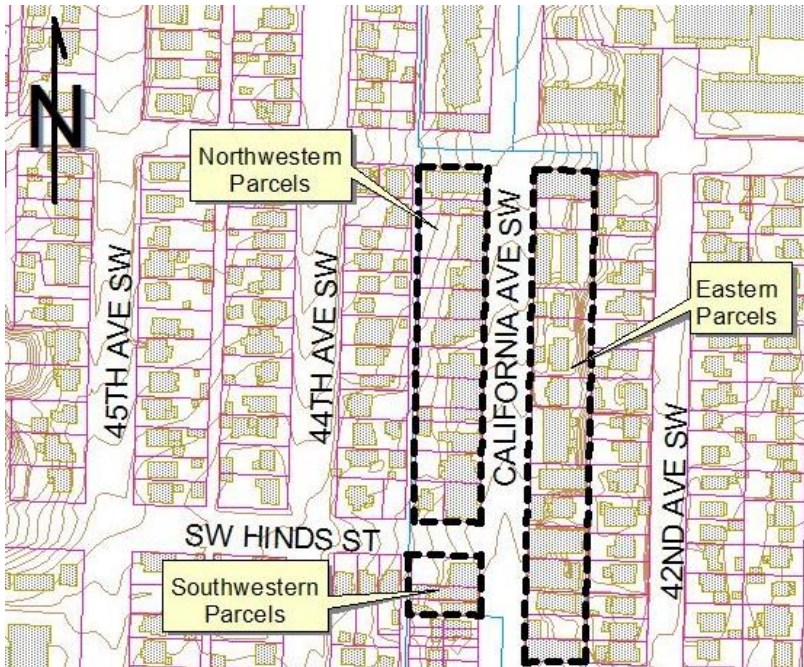
The proposed rezone will not affect or change any physical buffers. The northwestern and eastern parcels of the proposed rezone fall within already established boundaries (the Admiral Residential Urban Village) and respects platted lot lines. No changes are proposed in the established boundaries between commercial and residential areas. Even though the property is within an urban village, the height limit being requested is not higher than 40 feet.

Future development that exceeds the minimum threshold for design review will be required to go through design review. Thresholds are listed in SMC 23.41; currently the threshold is 4 dwelling units or 4,000 square feet of commercial use. Design review for the subject properties would be reviewed under the existing Design Review Guidelines for Multifamily and Commercial Buildings ("City-wide guidelines") as well as the Admiral Residential Urban Village Design Guidelines ("Admiral guidelines"). The City-wide guidelines include specific guidelines for new development design to respond to adjacent uses (ex. Guidelines A-5 and B-1). The Admiral guidelines include supplemental guidance for design to respond to less intensive adjacent uses. Admiral guideline examples include:

- Guideline A-1, considering solar access to adjacent single family residences
  - Guideline A-5, considering privacy impacts to adjacent single family residences
  - Guideline B-1, considering height bulk and scale impacts to less intensive adjacent development
- 2. Physical buffers may provide an effective separation between different uses and intensities of development. The following elements may be considered as buffers:*
    - a. Natural features such as topographic breaks, lakes, rivers, streams, ravines and shorelines;*
    - b. Freeways, expressways, other major traffic arterials, and railroad tracks;*
    - c. Distinct change in street layout and block orientation;*
    - d. Open space and greenspaces;*

Commercial uses in the area generally front on California Avenue SW. Single family residences generally face the street fronts on 42<sup>nd</sup> Ave SW and 44<sup>th</sup> Ave SW.

The single family residences at 44<sup>th</sup> Ave SW are separated from the commercial uses on California Ave SW by an alley. The grade between California Ave SW and 44<sup>th</sup> Ave SW is relatively flat. The map to the right includes two-foot topography lines. The property lines at 42<sup>nd</sup> Ave SW are approximately 8 feet higher than the property lines at California Ave SW.



*For illustrative purposes only*

The single family residences at 42<sup>nd</sup> Ave SW share a property line with the commercial uses on California Ave SW. There is a fairly large drop in topography at the shared property line between 42<sup>nd</sup> Ave SW and California Ave SW. The property lines at 42<sup>nd</sup> Ave SW are approximately 14 feet higher than the property lines at California Ave SW.

In Seattle neighborhoods, it is common for Neighborhood Commercial development to create a clear edge by extending one lot deep along an arterial, and then transitioning to Single Family zones on either side of the strip of commercial zoning. The neighborhood plan and the rezone criteria encourage the location of neighborhood serving uses in commercial zones along arterials which provide the primary vehicle access to the residential neighborhoods. The zoning pattern in some Seattle neighborhoods provides a multifamily transition zone between the Neighborhood Commercial zone and the Single Family zone. However, that is not the case for many edge conditions along arterials in residential neighborhoods. In this proposed rezone area in the Admiral Neighborhood, the existing edge condition is clearly delineated and emphasized further by topographic breaks between the commercial and residential uses to the east and west of the arterial, the orientation of the residential and commercial uses facing away from each other, and an alley buffering the residential uses on 44<sup>th</sup> Avenue SW from the commercial uses on California Avenue SW.

### 3. Zone Boundaries

- a. In establishing boundaries the following elements shall be considered:
  - (1) Physical buffers as described in subsection E2 above;
  - (2) Platted lot lines.

The proposed zoning would replace the existing zoning within the existing platted lot lines, and includes some topographic buffer as described in response to E2 above.

- b. Boundaries between commercial and residential areas shall generally be established so that commercial uses face each other across the street on which they are located, and face away from adjacent residential areas. An exception may be made when physical buffers can provide a more effective separation between uses.*

Both sides of California Avenue SW are currently zoned NC1-30. The proposed rezone to NC2-40 would maintain the established orientation of commercial uses facing each other across California Avenue SW, and facing away from the single-family residential areas to the east and west of the proposed rezone area.

- 4. In general, height limits greater than forty (40) feet should be limited to urban villages. Height limits greater than forty (40) feet may be considered outside of urban villages where higher height limits would be consistent with an adopted neighborhood plan, a major institution's adopted master plan, or where the designation would be consistent with the existing built character of the area.*

As described in response to SMC 23.34.007.D above, the northwestern and eastern parcels of the proposed rezone are located within the Admiral Residential Urban Village. The southwestern parcels are located outside the Admiral Residential Urban Village.

#### Northwestern and eastern parcels

The proposed forty (40) foot height limit is consistent with the site's location within the Admiral Residential Urban Village. A thirty (30) foot height limit is often used as a buffer between single-family zoned areas on both sides of a commercially zoned arterial and the commercial uses. However, the proposed rezone area is located on a portion of California Avenue SW that includes a slope between the subject property and the adjoining single-family zoned lots to the east, includes an alley between the subject property and the adjoining single-family lots to the west. The commercial height limits along other portions of California Avenue SW to the north and south of the subject property are 40 feet or greater, with the same edge conditions as the proposed rezone area. The height, bulk, and scale impacts of one additional story are not expected to block air and light or adversely impact the residential uses on either side of this portion of California Avenue SW. In terms of massing, the proposed 40 foot height limit would be a continuation of the height limits allowed along other portions of California Avenue SW.

Overall, the proposal would appear to satisfy these criteria for the northwestern and eastern parcels.

#### Southwestern parcels

The southwestern parcels of the proposed rezone area are outside of the Admiral Residential Urban Village. The adopted Neighborhood Plan polices (described in response to SMC 23.34.008.D.3 above) do not include specific support for higher commercial heights outside of the Residential Urban Village. The subject properties aren't subject to a major institution master plan. Existing development on the southwest parcels is single story commercial.

Overall, the proposal for the southwestern parcels does not appear to satisfy these criteria.

***F. Impact Evaluation. The evaluation of a proposed rezone shall consider the possible negative and positive impacts on the area proposed for rezone and its surroundings.***

- 1. Factors to be examined include, but are not limited to, the following:*
  - a. Housing, particularly low-income housing;*

The future project will have a positive impact on the supply of housing on the site and its surroundings by providing an additional floor of new dwelling units where none now exist. The rezone will add needed housing capacity to the neighborhood, locate additional housing in the Residential Urban Village, and take pressure off adding housing to the single family neighborhood. Although some of the existing residences on the subject properties may include units that are at the lower end of market rate housing, none of the properties are designated “low-income” as defined by the Land Use Code or Seattle Office of Housing.

- b. Public services;*

Though demand for public services may increase with an increased population of residents, the added population will strengthen the community by contributing to the critical mass necessary to support neighborhood services. The increased security provided by a developed site with security lighting and the surveillance of eyes on the street provided by multiple residents is seen as having a positive impact, and may be seen as mitigating the increased demand.

- c. Environmental factors, such as noise, air and water quality, terrestrial and aquatic flora and fauna, glare, odor, shadows, and energy conservation;*

Noise – No significant impacts are anticipated from the change in zone. With development in the future, noise will be limited to that typically generated by neighborhood commercial and residential activities.

Air quality – No noticeable change in impacts will result from a change in zoning to allow one additional story of residences. Future Air Quality measures will comply with applicable Federal, State, and City emission control requirements. Future development could potentially be registered with the “Leadership in Energy and Environmental Design” (LEED) Rating system. Strategies to achieve a rating will reduce the impact on air quality, including CFC reduction in HVAC equipment, Ozone Depletion prevention, and Indoor Environmental Quality measures.

Water quality – No noticeable change in impacts will result from change in zoning. Storm water runoff from future development will be conveyed to a city drainage system. Pervious concrete paving will potentially be proposed to collect and treat portions of parking area sheet flow before infiltration on site. Storm water collection and management would be in conformance with City of Seattle standards. The proposed rezone would not create the potential for any more impervious surface than would be possible under existing zoning.



Flora and fauna – No noticeable change in impacts will result from a change in zoning, with or without the rezone. Existing landscaping and trees will potentially be removed for future construction, but additional vegetation would be required per SMC 23.47A. The change in zoning would not reduce the vegetation requirements for future development.

Glare – No noticeable change in impacts will result from a change in zoning.

Odor – No noticeable change in impacts will result from a change in zoning.

Shadows – Potential development will create additional shadows on its north, east and west sides, depending on season and time of day. As described in the response to SMC 23.34.008.E above, future development would likely be subject to design review, which would include consideration of shadow impacts.

Energy – No noticeable change in impacts will result from a change in zoning. Future development in any case will comply with the City of Seattle Build Smart energy conservation program, incorporating increased thermal insulation, improved glazing, and efficient lighting.

Views – The Olympic Mountains and Puget Sound are visible from many parts of the site, including public rights of way and private properties. DPD has considered the potential impacts of the proposed rezone on adjacent views. It appears full build-out under existing NC1-30 zoning would block most, if not all private views from adjacent properties to the east. There would be no appreciable difference to private views between NC1-30 zoning and NC2-40 zoning.

*d. Pedestrian safety*

No noticeable change in impacts will result from change in zoning. Future development will provide new sidewalks and supply all boundaries with appropriate lighting for pedestrians. As described in the response to SMC 23.34.008.E above, future development would likely be subject to design review, which would include review of the pedestrian environment.

*e. Manufacturing activity;*

Not applicable.

*f. Employment activity;*

Future developments may create greater employment opportunities by increasing the variety of allowed commercial uses in the rezone area.

*g. Character of areas recognized for architectural or historic value;*

The nearest historic landmarks are Madison Middle School two blocks to the west, West Seattle High School approximately ½ block to the north, and Hiawatha playfield approximately 1 block to the north (described and shown in the Site and Vicinity description above). No noticeable change in impacts will result from the proposed change in zoning. Future development character should be appropriate to its Admiral Residential Urban Village context. As described in the response to SMC 23.34.008.E above, future development would likely be subject to design review, which would include review of the proposed design in context with surrounding development.

*h. Shoreline view, public access and recreation.*

No noticeable change in impacts will result from a change in zoning. With redevelopment of the rezone area made more likely with the rezone, greater opportunities may exist for future development of public amenities. No adverse impacts to nearby parks are anticipated. Views of the shoreline would not be impacted by the proposed rezone.

*2. Service Capacities. Development which can reasonably be anticipated based on the proposed development potential shall not exceed the service capacities which can reasonably be anticipated in the area, including:*

- a. Street access to the area;*
- b. Street capacity in the area;*
- c. Transit service;*
- d. Parking capacity;*

California Avenue SW is an arterial that provides north-south access through West Seattle. The segment of SW Hanford Street from California Avenue SW to 37<sup>th</sup> Avenue SW also is an arterial.

In response to criteria (a) through (d), the street access, street capacity, transit service and parking are discussed in the SEPA analysis below.

*e. Utility and sewer capacity;*

Seattle Public Utilities (SPU) completed an analysis of the flow capacity of the pipes in the existing system. The analysis was based on the assumption that the residential units will be split between one and two bedroom units with an average gross floor area of 800 square feet per unit. The analysis was done for the maximum likely potential development that would be allowed in the proposed NC2-40 zone. The uses that would be likely at this site that would create the highest demand for sewer capacity are restaurant and residential.

The calculations indicated that the proposed rezone would result in a likely build out of 386 residential units and 172 employees for the commercial area. This would be approximately 96 more units and the same number of employees that would result from full build out under existing NC1-30 zoning. These calculations were used by SPU to determine sewer demand and compare the proposal to existing sewer capacity.

Calculations:

Residential assumptions:

- 1. NC1-30 zoning could include 3 stories of residential use
- 2. NC2-40 zoning could include 4 stories of residential use
- 3. 60% parcel lot area for residential units
- 4. 20% common space/amenity (stairs, elevators, hallways etc.)
- 5. Average 800 square foot units
- 6. Four floors of residential use

Commercial use assumptions:

7. 40% parcel lot area for commercial development
8. 20% common space/amenity (stairs, elevators, hallways, mechanical etc.)
9. 300 square foot per employee
10. Commercial located on ground floor; no change to ground floor commercial development possible under proposed rezone (only maximum size of business, and some uses)

Residential use calculations:

- Total land area: 161,028 square feet
  - 60% could be developed in residential use for each story ( $161,028 \times 0.60 = 96,617$  square feet)
    - Of that area, 20% would be required for common residential amenity space ( $96,617 \times 0.20 = 19,323$ )
    - Remaining residential area per floor is 77,294 square feet ( $96,617 - 19,323 = 77,294$ )
  - Existing zoning (NC1-30)
    - 77,294 square feet per story x 3 stories of residential = 231,882 square feet of residential
    - $309,176$  square feet of residential / 800 square feet per unit = **290 unit capacity likely under existing zoning**
  - Existing zoning:
    - 77,294 square feet per story x 4 stories of residential = 309,176 square feet of residential
    - $309,176$  square feet of residential / 800 square feet per unit = **386 unit capacity likely under proposed rezone**
  - There would be a net increase of approximately 96 units that could be built on the subject properties as a result of the proposed rezone

Commercial use calculations:

- Total land area: 161,028 square feet
  - 40% could be developed in commercial use at the ground floor ( $161,028 \times 0.40 = 64,411$  square feet)
  - Of that area, 20% would be required for common area and mechanical area ( $64,411 \times 0.20 = 12,882$  square feet)
  - The remaining commercial use would be 51,529 square feet ( $64,411 - 12,882 = 51,529$ )
  - The employment density is 1 person per 300 square feet of commercial use ( $51,529 / 300 = 172$ )
  - The amount of employees likely for commercial area under the proposed rezone is **172 people**
  - There would be no net increase in the commercial area that could likely be built on the subject properties as a result of the proposed rezone

Conclusion: SPU indicated that as a result of the analysis, there is sufficient sewer capacity in the area for maximum development likely under the proposed rezone. Any future development will go through city review and be required to meet/conform to city of Seattle standards, codes and/or ordinances.

*f. Shoreline navigation*

The area of the rezone is not located within a shoreline environment so shoreline navigation is not applicable to this rezone.

**No significant impacts are anticipated as a result of this rezone.**

***G. Changed circumstances. Evidence of changed circumstances shall be taken into consideration in reviewing proposed rezones, but is not required to demonstrate the appropriateness of a proposed rezone. Consideration of changed circumstances shall be limited to elements or conditions included in the criteria for the relevant zone and/or overlay designation in this chapter.***

A Growing Population and Economy: In 1990 the Puget Sound Council of Governments projected the need for 34,000 new households over the next 30 years (2020). Since that time the economy in Seattle and the region experienced robust growth as Seattle established itself as one of the most desirable places to live and work. As a result, in 2004 Seattle projected the need for 47,000 additional households by 2024 to accommodate expected growth.

Growth Management Act (GMA): In 1990 the Legislature found that “uncoordinated and unplanned growth, together with a lack of common goals... pose a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state. It is in the public interest that citizens, communities, local governments, and the private sector cooperate and coordinate with one another in comprehensive land use planning.” (RCW 36.70A.010) This is the foundation for the Growth Management Act (GMA).

As a result, the State directed 29 counties and the 218 cities within the state to establish plans for growth based on certain requirements. These jurisdictions included Seattle and some of the other fastest-growing counties and the cities.

Several goals of the GMA were to focus urban growth in urban areas, reduce sprawl, provide efficient transportation, encourage affordable housing, and encourage sustainable economic development.

Seattle Comprehensive Growth Plan: In 1994, in response to the State Growth Management Act of 1990, the City of Seattle adopted a Comprehensive Growth Plan. The Comprehensive Plan established 20-year housing unit growth targets for Urban Centers, Center Villages, Hub Urban Villages, and Residential Urban Villages.

Investing in Seattle's Urban Villages: By the year 2000, Seattle's urban village areas housed 32% of the city's population. As part of the Comprehensive Growth Plan they are expected to accommodate most of Seattle's new housing units. As a result, the city is making infrastructure investments in and around urban villages to improve transit access, to create more walkable communities and to provide attractive residential and commercial environments.

In the mid-90's, Admiral was identified as a Residential Urban Village (RUV). In the 2004 Comprehensive Plan update the Admiral RUV was given a 2024 growth target of 200 additional households. From 2004 through the third quarter of 2009, twenty one (21) new units were built in the Admiral Residential Urban Village (an average of 4.2 units per year), as described in response to SMC 23.34.008.A above.

The adoption of the Comprehensive Plan (1994), the designation of the Admiral Residential Urban Village (mid-1990's), and the adoption of the 2024 growth target for the Admiral Residential Urban Village (2004) are all circumstances that have changed since the most recent zoning change for this area in 1991 (described in response to 23.34.008.C above).

Transportation: Since 1990, the city of Seattle and its transit partners have made significant street and transit investments to keep people, goods and services moving. As part of the Complete Streets initiative investments are being made to provide people with options to single occupancy vehicles.

At the time of the 1990 "remapping" the West Seattle/Delridge peninsula had 14 Metro bus routes serving the area. Bus frequency of service was generally every thirty minutes on weekdays and Saturdays and every 60 minutes during evening hours and on Sundays. Limited investments were being made to the right-of-way due to limited funding.

Since that time, transit service in the area has improved substantially, leading to a decrease in the percentage of single occupancy vehicle trips. Today, West Seattle is served by more than 20 routes and the frequency has been reduced to generally 10-15 minutes during peak hours and 15-45 minutes during off peak hours.

Seattle Department of Transportation (SDOT), as part of *Bridging the Gap*, is making a number of improvements to the city transportation network. Some of these improvements are targeted to increase transit speed & reliability in West Seattle. Metro is continuing to add service hours and will be introducing Bus Rapid Transit to West Seattle by 2012 as part of *Transit Now*.

Metro has also established a seasonal water taxi that provides service from Alki to Downtown Seattle. There are efforts underway to secure funding establish a year round ferry taxi service.

These transit service increases are circumstances that have changed since the most recent zoning change for this area in 1991 (described in response to 23.34.008.C above).

***H. Overlay Districts. If the area is located in an overlay district, the purpose and boundaries of the overlay district shall be considered.***

This site is located in the Admiral Residential Urban Village overlay, directly south of and adjacent to the commercial center. A strategy of the neighborhood plan is to add high density residential in the single block zones around the commercial core for this area. This rezone would support this goal.

***I. Critical Areas. If the area is located in or adjacent to a critical area (SMC Chapter 25.09), the effect of the rezone on the critical area shall be considered.***

No critical areas are located in or adjacent to the site.

**SMC 23.34.008 Conclusion:** The proposed rezone meets almost all the requirements of SMC 23.34.008, per the analysis above. The only exception is that the southwestern parcels do not meet SMC 23.34.008.E.4 because these parcels are located outside the Admiral Residential Urban Village.

***23.34.009 Height limits of the proposed rezone. Where a decision to designate height limits in Neighborhood Commercial or Industrial zones is independent of the designation of a specific zone, in addition to the general rezone criteria of Section 23.34.008, the following shall apply:***

***A. Function of the zone. Height limits shall be consistent with the type and scale of development intended for each zone classification. The demand for permitted goods and services and the potential for displacement of preferred uses shall be considered.***

As Seattle's Comprehensive Plan states, "The preferred development character is to be achieved by directing future growth to mixed use neighborhoods, designated as "urban villages", where conditions can best support increased density". These villages should "function primarily as compact neighborhoods providing opportunities for a wide range of housing types and a mix of activities that support the residential population". The proposed rezone lies within the boundaries of the Admiral Residential Urban Village.

Responding to the demand for more, and more affordable, housing in West Seattle, an increase of ten (10) feet in the height limit for this block of California Avenue SW would enable property owners to build an additional floor of housing in new developments. This will result in increased housing capacity for the village and more choices and opportunities for those seeking housing. Increasing the building capacity on these properties will provide the needed incentive for builders to create more housing by bringing down the per-unit costs of these new developments.

This rezone will encourage the creation of more pedestrian-oriented shopping that will provide a broader range of goods and services for the surrounding neighborhood and greater West Seattle area. This will allow local residents to stay in the neighborhood to shop rather than make an additional car trip to an outlying shopping area.



If approved, the proposed rezone will likely lead to increased building activity in the area due to improved financial returns. The most likely development will be ground floor commercial with three to four floors of residential above. This is the preferred type of usage in the residential urban village.

The northwestern and eastern parcels of the subject area are within a Residential Urban Village where height limits of greater than forty (40) feet may be considered, per the analysis in SMC 23.34.008.E.4 above. The southwestern parcels are not within the Residential Urban Village.

The requested height limit for this rezone is forty (40) feet. The zone allows for the same multifamily residential uses that are allowed in the zone, so there is no potential to displace preferred uses.

***B. Topography of the Area and its Surroundings. Height limits shall reinforce the natural topography of the area and its surroundings, and the likelihood of view blockage shall be considered.***

California Avenue SW, which runs north and south, has a slight east to west slope running along its length. This provides a buffer between the commercial and single-family residential areas as well as some views for this street and for the residential streets to the east. The single-family properties on the adjacent residential streets (42<sup>nd</sup> and 44<sup>th</sup> Avenues SW) were not built with an orientation toward local views. Homes of their era were consistently oriented toward their sidewalks, streets, and neighboring homes. Most of the housing and surrounding structures in the area were constructed when the building height limit for this section of California Avenue SW had a height limit of forty (40) feet (between 1923 and 1957), 35 feet (between 1957 and 1985) and 40 feet (between 1986 and 1990). This may have contributed toward homes not being oriented toward the west.

Taking into account existing topography, any existing views would be blocked by the currently permitted thirty (30) foot building height limits in the subject area, as described in the response to SMC 23.34.008.E.4 above.

***C. Height and Scale of the Area.***

- 1. The height limits established by current zoning in the area shall be given consideration.*
- 2. In general, permitted height limits shall be compatible with the predominant height and scale of existing development, particularly where existing development is a good measure of the area's overall development potential.*

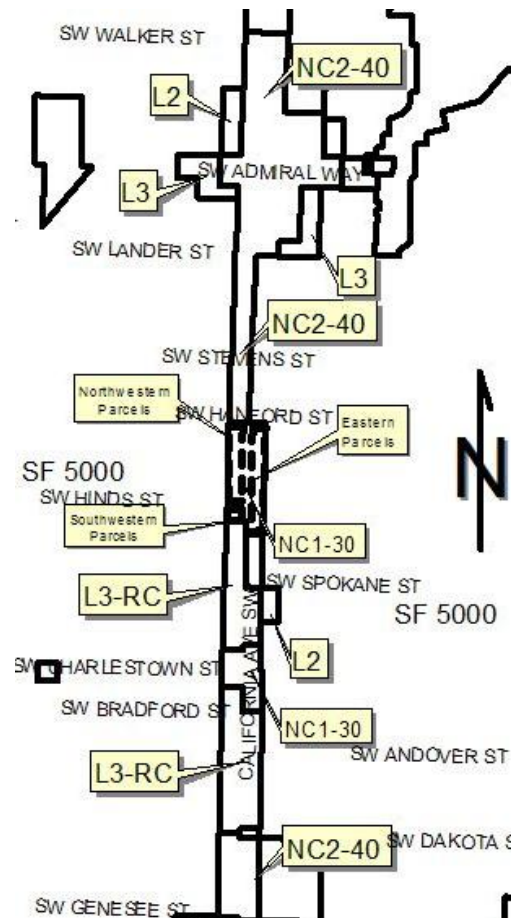
The current height limit is thirty (30) feet, although some buildings exceed this due to higher limits in the past. The current height limit on commercial properties to the north and south is forty (40) feet, as described in the "Site and Vicinity" section above. In the surrounding forty (40) foot zoned areas many parcels have been redeveloped in the last 20 years. This indicates that the area's overall development potential is high and there is sufficient residential and commercial demand for new development in the rezoned area.

**D. Compatibility with Surrounding Area.**

1. Height limits for an area shall be compatible with actual and zoned heights in surrounding areas excluding buildings developed under Major Institution height limits; height limits permitted by the underlying zone, rather than heights permitted by the Major Institution designation, shall be used for the rezone analysis.
2. A gradual transition in height and scale and level of activity between zones shall be provided unless major physical buffers, as described in Subsection 23.34.008.D.2 are present.

The subject properties are not in or near a Major Institution.

A forty (40)-foot tall single use residential building is located in the rezone area (southeast corner of SW Hanford St and California Ave SW), as well as several 40-foot tall residential use and mixed-use buildings on the commercial blocks to the north and south. Changing the height for the subject properties to forty (40) feet would result in a contiguous line of building heights for several blocks of California Avenue SW.



*For illustrative purposes only*

The corridor along California Ave SW is zoned for Neighborhood Commercial or Lowrise 3 or 4. This area of West Seattle typically exhibits a lack of transition from Neighborhood Commercial to the adjacent Single Family residential zones. The zoning near the Admiral Junction (SW Admiral Way & California Ave SW) is the only area that provides Lowrise zoning between Neighborhood Commercial and Single Family residential zones.

As described in the “Site and Vicinity” section above, the topography of this area slopes down from east to west, with a larger drop in topography immediately east of California Ave SW. This drop is more pronounced at the eastern parcels of the subject properties than in properties to the north and south. This means that the existing topography of the site provides a better transition in height to the single family development to the east than currently exists in other nearby zone edges.

As described earlier, the proposed changes to the Multi-family code sections of the Land Use Code include recommendations to increase the height of Lowrise 3 and Lowrise 4 (L3 and L4) zones to 40’ height, which would be consistent with the 40’ height of many Neighborhood Commercial zones nearby.

The proposed rezone would be consistent with the transition of commercial zoned heights and proposed multi-family zoned heights to nearby single family zoned heights in the area.

***E. Neighborhood Plans***

- 1. Particular attention shall be given to height recommendations in business district plans or neighborhood plans adopted by the City Council subsequent to the adoption of the 1985 Land Use Map.*
- 2. Neighborhood plans adopted or amended by the City Council after January 1, 1995 may require height limits different than those that would otherwise be established pursuant to the provisions of this section and Section 23.34.008.*

As described in response to SMC 23.34.008.D above, portions of the Admiral Neighborhood Plan were adopted by City Council and are included in the Seattle Comprehensive Plan. Adopted goals and policies that address height in the Admiral Neighborhood include:

A-G1: Land use within the residential urban village that conforms to Admiral's vision of a neighborhood with a pedestrian oriented small town atmosphere.

A-P1: Encourage development that conforms with the neighborhood's existing character and scale, and further promotes a pedestrian-friendly environment.

A-P2: Maintain the character and integrity of the existing single-family zoned areas by maintaining current single-family zoning outside the urban village on properties meeting the locational criteria for single-family zones.

A-G10: A Residential Urban Village with a vibrant and attractive character

There are no adopted goals or policies that specifically address height in the Admiral Neighborhood.

**SMC 23.34.009 Conclusion:** The proposed increase in height from 30 feet to 40 feet would meet the criteria of SMC Section 23.34.009, as described above.

**SMC 23.34.072 Designation of Commercial Zones:**

- A. The encroachment of commercial development into residential areas shall be discouraged.***

Commercial development is already allowed in the existing NC1-30 zone. The proposed NC2-40 rezone would allow a wider variety of commercial uses, and larger individual business sizes for many uses. There will be no additional encroachment of commercial development into residential areas.

***B. Areas meeting locational criteria for single-family designation may be designated NC130'/L1, NC2 30'/L1 or NC3 30'/L1 only as provided in Section 23.34.010.***

The area does not meet the locational criteria for a single-family designation.

***C. Preferred configuration of commercial zones shall not conflict with the preferred configuration and edge protection of residential zones as established in Sections 23.34.010 and 23.34.011 of the Seattle Municipal Code.***

The site is currently configured as a commercial zone. The change in designation from NC1-30 to NC2-40 would not change the configuration and the edge protection of the adjacent single-family residential zones as established in Sections 23.34.010 or 23.34.011 of the Seattle Municipal Code.

***D. Compact, concentrated commercial areas, or nodes, shall be preferred to diffuse, sprawling commercial areas.***

The change in the designation of the site from NC1-30 to NC2-40 would not diminish the compact and concentrated character of the existing commercial area along California Avenue SW. The proposed rezone would not enable diffusion or sprawl of the existing commercial area.

Commercial development is located along both sides of California Avenue SW from SW Walker Street southward to SW Hinds Street and begins again at SW Dakota Street continuing south to the Alaska Junction and beyond. The linear pattern of commercial development along California Avenue SW would not be characterized as sprawling, but rather as a concentrated commercial corridor along both sides of a major arterial.

***E. The preservation and improvement of existing commercial areas shall be preferred to the creation of new business districts.***

The proposed rezone would not result in an expansion of the existing commercial area occupied by the existing commercial uses. No new business districts would be created by the proposal. A rezone of the area could be considered an intensification of the existing business district because it would allow an increase in the variety of commercial uses without creating a new business district.

**SMC 23.34.072 Conclusion:** The subject property has been zoned for commercial purposes since the 1920's and has continually functioned as such. The area is currently zoned for commercial development and a change from NC1-30 to NC2-40 will not constitute an encroachment into the surrounding residential areas. Continuing the designation of the site as commercial will not conflict with the preferred configuration and edge protection of the adjacent residential zones nor will it diminish the compact and concentrated character of the existing commercial area along California Avenue SW. The proposed rezone would not enable diffusion or sprawl of the existing commercial area. The proposed rezone from NC1-30 to NC2-40 would meet the criteria of SMC Section 23.34.009, as described above.

**SMC 23.34.074 Neighborhood Commercial 1 (NC1) zone function and locational criteria:**

- A. Function.** *To support or encourage a small shopping area that provides primarily convenience retail sales and services to the adjoining residential neighborhood, where the following characteristics can be achieved:*
1. *A variety of small neighborhood-serving businesses;*
  2. *Continuous storefronts built to the front lot line;*
  3. *An atmosphere attractive to pedestrians;*
  4. *Shoppers walk from store to store.*

The subject properties include storefronts built to the front lot line, residential structures converted to commercial purposes, commercial structures with parking in front, residential and commercial structures with courtyard style entrances, single use residential structures, and parking lots. The block has an atmosphere attractive to pedestrians who can walk from store to store.

Businesses at the site include real estate offices, law offices, doctors, dentists, hair salons, eating and drinking establishments, large residential buildings, as well as mixed-use buildings. The commercial properties provide services to the surrounding neighborhood and also to the greater West Seattle area. Businesses are accessed by car, public transportation, bike, or by walking from the immediate neighborhood and greater West Seattle area.

The rezone area is better suited to, and presently functions more like, an NC2 than an NC1 zone designation because it is located within a large, multi-block shopping area on a primary arterial with a number of small and medium sized businesses that serve an area larger than the immediate residential neighborhood.

- B. Locational Criteria.** *A Neighborhood Commercial 1 zone designation is most appropriate on land that is generally characterized by the following conditions:*
1. *Outside of urban centers and urban villages, or within urban centers or urban villages where isolated or peripheral to the primary business district and adjacent to low-density residential areas;*
  2. *Located on streets with limited capacity, such as collector arterials;*
  3. *No physical edges to buffer the residential areas;*
  4. *Small parcel sizes;*
  5. *Limited transit service.*

The northwestern and eastern parcels of the subject property are inside the Admiral Residential Urban Village. These parcels are the only commercially zoned blocks with an NC1-30 designation within the ARUV. All other commercially zoned blocks in the ARUV are zoned NC2-40. The primary business area is located inside of the ARUV and stretches for approximately 6 blocks of California Ave SW.

The southwestern parcels are adjacent to, but outside of the ARUV, as noted in earlier analysis. These parcels currently contain 1-story restaurant and commercial uses.

All the parcels of the subject property are located on California Ave SW, which is a Minor Arterial. SW Hanford St is adjacent to the north end of the site and is designated a Collector Arterial (a less intensive designation than a Minor Arterial). SW Hines St is near the south end of the site and is a neighborhood non-arterial street. There is good capacity on the streets and sidewalks.

There is an alley separating the Neighborhood Commercial properties from the residential development to the west. A topographic difference of approximately 14' separates the Neighborhood Commercial properties from the residential development to the east.

The original platted parcels in this area measured 2500 square feet in size, but many parcels have been combined to single developed lots. The average lot is approximately 5,334 square feet in size, which isn't a particularly small parcel size for neighborhood commercial development in this area.

There is a moderate level of transit service along and near California Avenue SW. The area is served by five bus routes (128, 55, 51, 85, and 57) that provide service to key employment, retail and educational centers that include downtown Seattle, South Center, Alaska Junction, Delridge and South Seattle Community College.

**SMC 23.34.074 Conclusion:** The site only marginally meets the threshold Functional Criteria for NC1. There are a variety of businesses providing services to the surrounding neighborhood as well as the greater West Seattle community. The site has storefronts built to the front lot line in a pedestrian-oriented environment. The northwestern and eastern parcels are located inside the Admiral Residential Urban Village. California Ave SW is a Minor Arterial, which carries more traffic than a Collector Arterial. The subject parcels are separated from adjacent single family residential by either an alley or topography change. The lot sizes range from approximately 2,700 square feet to 10,000 square feet in size, which is representative of platting in the area. There is a moderate level of transit service.

**SMC 23.34.076 Neighborhood Commercial 2 (NC2) zones, function and locational criteria:**

***A. Function. To support or encourage a pedestrian-oriented, shopping district that provides a full range of household and personal goods and services, including convenience and specialty goods, to the surrounding neighborhoods, and that accommodates other uses that are compatible with the retail character of the area such as housing or offices, where the following characteristics can be achieved:***

***1. A variety of small to medium-sized neighborhood-serving businesses;***

As described above, a variety of sizes and types of retail and other commercial businesses exist at street level in the rezone area.

Existing ground floor uses within the proposed rezone area include:

- Picture framing shop
- Fitness facility
- Martial arts facility



- Hair salon
- Real estate offices
- Nail salon
- Medical dental office
- Attorney's office
- Approximately 15 apartment buildings

A full range of goods and services is available in the immediate vicinity of the subject properties:

- Lafayette Elementary (3 blocks), Madison Middle School (1.5 blocks), West Seattle High (1 block).
- Hiawatha Park Community Center, soccer and baseball fields, tennis courts, playground and pool (2 blocks)
- Fairmount Park and Ravine (5 blocks)
- Admiral Public Library (5 blocks)
- Swedish Medical Center clinic (1 block)
- West Seattle Dental (within the rezone area)
- Admiral Theatre (3.5 blocks)
- Three specialty grocery stores (within 5 blocks)
- Two churches (within 5 blocks)
- Two banks (within 3 blocks)

The proposed rezone could result in larger individual businesses for the following uses (See SMC 23.47A.004 Chart A for specific requirements and conditions associated with uses):

Use	NC1-30	NC2-40
	sq.ft. allowed	sq.ft. allowed
<b>Agricultural uses (aquaculture and horticulture)</b>	10000	25000
<b>Eating and drinking establishments</b>	10000	25000
indoor sports and rec	10000	25000
<b>food processing/craft work</b>	10000	25000
<b>medical services</b>	10000	25000
<b>offices</b>	10000	25000
<b>Auto sales and service</b>		
retail sales and service	10000	25000
<b>General sales and service</b>	10000	25000-50000
<b>Heavy Sales and service</b>		
retail of major durables and non-household	10000	25000
<b>Marine Sales and service</b>		
marine service stations	10000	25000
sales and rental of small boats	10000	25000
minor vessel repair	10000	25000
<b>Institutions</b>	10000	25000
<b>Public facilities - work release centers</b>	10000	25000
<b>Utility Services</b>	10000	25000

NC2-40 zoning would also permit the following uses that are not permitted under the existing NC1-30 zoning (See SMC 23.47A.004 Chart A for specific requirements and conditions associated with uses):

Use	Allowed in NC2 and not NC1
<b>Entertainment</b>	
adult cabarets	allowed
theater and spectator sports	allowed
<b>lodging</b>	allowed with conditional use
<b>Auto sales and service</b>	
sales and rental	allowed
vehicle repair	allowed
<b>Marine Sales and service</b>	
sales and rental of large boats	allowed
<b>light manufacturing</b>	allowed
<b>Parking</b>	
Dry boat storage	allowed
Principal use parking	allowed

*2. Continuous storefronts built to the front lot line;*

The site has storefronts built to the front lot line, residential structures converted to commercial purposes, commercial structures with parking in front, residential and commercial structures with courtyard style entrances, single use residential structures, and parking lots, along California Avenue SW in the area of the proposed rezone. The proposed zoning would allow development to more closely reflect the desired functional character of Neighborhood Commercial zones, lessen auto-oriented developments, and allow a greater variety of uses.

*3. An atmosphere attractive to pedestrians;*

The pedestrian activity along California Avenue SW is currently moderate and attractive to pedestrians in terms of sidewalks, street trees, continuous storefronts with display windows, potted plants, bicycle racks, appropriate signage, and overhead weather protection in the form of awnings. The existing visual interest and sense of safety add to the atmosphere attractive to pedestrians. Any new development allowed under the proposed NC2-40 zoning that exceeded design review thresholds in SMC 23.41 would be required to go through the design review process. The design review process includes review of the pedestrian environment.

*4. Shoppers can drive to the area, but walk from store to store;*

The area of the proposed rezone meets this criterion because shoppers can drive to the area, park on California Avenue SW and walk from store to store. The proposed rezone may encourage development at current parking codes. Future development could provide off-street parking which would enhance the retail environment and reduce the demand for on street parking in the neighborhood.

***B. Locational Criteria. A Neighborhood Commercial 2 zone designation is most appropriate on land that is generally characterized by the following conditions;***

- 1. Primary business districts in residential urban villages, secondary business districts in urban centers or hub urban villages, or business districts, outside of urban villages, that extend for more than approximately two blocks;*

The northwestern and eastern parcels of the rezone area are located within the Admiral Residential Urban Village. The southwestern parcels are outside the ARUV, but directly adjacent to commercial development that continues to the Admiral Junction area. The business district stretches for at least 6 blocks along California Ave SW and includes all the parcels in the proposed rezone area.

- 2. Located on streets with good capacity, such as principal and minor arterials, but generally not on major transportation corridors;*

The rezone area is served by California Ave SW, which is designated as both a Minor Arterial and Major Transit Street. There is good street capacity in the vicinity of the rezone.

- 3. Lack of strong edges to buffer the residential areas;*

The commercial properties in the proposed rezone area face toward California Ave SW and away from the adjacent single family residential development to the east and west. The properties are separated from single family residential to the west by an alley, and from single family residential to the east by sloped topography. There is some separation provided by these conditions, but not necessarily a 'strong edge' to buffer the adjacent residential areas.

- 4. A mix of small and medium sized parcels;*

The underlying platted lots measure 25 by 109 feet on the west side of California Avenue SW and 25 by 100 feet on the east side of California. The developed parcels are a mix of 50 and 100 foot wide parcels which represents a mix of small and medium sized parcels ranging from 2,700 square feet to 10,000 square feet in area.

- 5. Limited or moderate transit service.*

There is a moderate level of transit service along and near California Avenue SW. The area is served by five bus routes (128, 55, 51, 85, and 57) that provide service to key employment, retail and educational centers that include downtown Seattle, South Center, Alaska Junction, Delridge and South Seattle Community College.

**SMC 23.34.076 Conclusion:**

Overall, the site appears to meet the function and locational criteria for a Neighborhood Commercial 2 zone:

Functional Criteria:

- 1) A variety of small to medium-sized businesses offering a range of goods and services to the surrounding neighborhoods
- 2) Many of the storefronts are built to the front lot line
- 3) The pedestrian activity along the subject segment of California Avenue SW is active and benefits from a variety of building types, good sidewalks, and attractive pedestrian amenities
- 4) Shoppers and customers arrive to the area by car, bus, foot and bicycle and can then easily walk from business to business.

Locational Criteria:

- 1) The northwestern and eastern parcels are located within a Residential Urban Village. The southwestern parcels are located immediately adjacent to the Admiral business district that extends for more than two blocks.
- 2) The rezone area is along the east and west side of California Avenue SW, which is a Minor Arterial and a Major Transit Street
- 3) The topographic and alley separation provide some buffer to adjacent residential development, but the overall patterns lack a 'strong edge' to adjacent residential development.
- 4) There is a mixture of small and medium sized parcels
- 5) There is moderate transit service

**RECOMMENDATION – REZONE**

Based on the analysis undertaken in this report, and the weighing and balancing of all the provisions in SMC 23.34, the Director recommends that the proposed rezone from Neighborhood Commercial 1 with a 30' height limit to Neighborhood Commercial 2 with a 40' height limit be **APPROVED.**

**ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant, September 5, 2007, and annotated by the Department. The information in the checklist, supplemental information provided by the applicant, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part: "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation" (subject to some limitations). Under certain limitations and/or circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

Approval of the proposed rezone to NC2-40 would allow more variety of commercial uses, 10 feet of additional height and increased density. Short-term impacts resulting from construction are anticipated including: decreased air quality due to suspended particulates from demolition, grading, clearing, and building activities and hydrocarbon emissions from construction vehicles and equipment, temporary soil erosion, increased dust caused by drying mud tracked onto streets during construction activities, increased traffic and demand for parking from construction equipment and personnel, increased noise, increases in carbon dioxide and other greenhouse gas emissions, and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts including; the Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. The Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. The Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, construction traffic and parking warrant further discussion. Any future development on the site will likely exceed the threshold requiring Design Review and SEPA, so additional analysis of the short-term impacts will occur at that time. However, the short-term impacts to air quality are discussed below.

### Air

Greenhouse gas emissions associated with development come from multiple sources; the extraction, processing, transportation, construction and disposal of materials and landscape disturbance (Embodied Emissions); energy demands created by the development after it is completed (Energy Emissions); and transportation demands created by the development after it is completed (Transportation Emissions). Short-term impacts generated from the embodied emissions results in increases in carbon dioxide and other green house gasses thereby impacting air quality and contributing to climate change and global warming. While these impacts are adverse they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from specific future projects in the rezone area. The other types of emissions are considered under the use-related impacts discussed later in this document. No SEPA conditioning is necessary to mitigate air quality impacts pursuant to SEPA policy SMC 25.05.675A.

### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased bulk and scale on the site, increased traffic in the area and increased demand for parking, increased demand for public services and utilities, increases in carbon dioxide and other greenhouse gas emissions, and increased light and glare.

Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these area: the Stormwater, Grading and Drainage Control Code which requires onsite detention of stormwater with provisions for controlled tightline release to an approved outlet and may required additional design elements to prevent isolated flooding, the City Energy Code which will require insulation for outside walls and energy efficient windows, and the Land Use Code which controls site coverage, setbacks, building height and use and contains other development and use regulations to assure compatible development. Compliance with these applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term long-term impacts, although some impacts warrant further discussion which will occur during the SEPA and Design Review process at the time of a development proposal for this site.

### Drainage

Rain water on roofs and on the driveways is the major source of water runoff on the site. The rain water on the roofs will be collected in gutters and connected to the storm drainage system. No drainage will be directed to the adjoining streets. Verification of an appropriate stormwater control system and its proposed location of connection to the public system will be required to be shown on the construction plans. No additional mitigation measures will be required pursuant to SEPA.

### Environmental Health

Operational activities, primarily vehicular trips associated with future construction and future development energy consumption, are expected to result in increases in carbon dioxide, and result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project and do not warrant mitigation under SEPA.

### Height, Bulk, and Scale

Development under the proposed rezone would result in an additional 10 feet of building height adjacent to residential areas. This could result in shadowing to adjacent properties, and reduced light and air.

The Land Use Code includes setback requirements for commercial and mixed-use development adjacent to existing residential zones, intended to address some of the height, bulk, and scale impacts of new development.

Any development that exceeds Design Review thresholds in SMC 23.41 would be required to go through design review. Design review considers mitigation for height, bulk and scale through modulation, articulation, landscaping, and façade treatment.



The adopted Design Guidelines for the Admiral Residential Urban Village specify how new projects should address site planning, height, bulk, and scale compatibility, architectural elements and materials, the pedestrian environment, and landscaping. The Design Guidelines refine the goals and policies in the Admiral Neighborhood Plan and must be considered in the Design Review Board's recommendations for proposed new development projects within the Admiral Residential Urban Village.

Section 25.05.675.G.2.c of the Seattle SEPA Ordinance provides the following: "The Citywide Design Guidelines (and any Council-approved, neighborhood design guidelines) are intended to mitigate the same adverse height, bulk, and scale impacts addressed in these policies. A project that is approved pursuant to the Design Review Process shall be presumed to comply with these Height, Bulk, and Scale policies. This presumption may be rebutted only by clear and convincing evidence that height, bulk and scale impacts documented through environmental review have not been adequately mitigated. Any additional mitigation imposed by the decision maker pursuant to these height, bulk, and scale policies on projects that have undergone Design Review shall comply with design guidelines applicable to the project." The height, bulk or scale impact issues will be addressed during the Design Review process for any new project proposed on the site. Additional mitigation is not warranted under SEPA.

#### Traffic and Transportation

The area proposed for rezoning currently has about 80 residential units, and roughly 60,000 square feet of commercial uses. The predominant commercial uses are offices (including medical/dental), health clubs, and restaurants.

It is assumed that the maximum probable development would include 386 residential units and 51,529 square feet of restaurant use (see analysis in response to SMC 23.34.008.F.2.e in the Rezone section above). The proposed rezone could result in a net increase of approximately 96 units beyond what would be allowed under current zoning at the site.

The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that residential units generate approximately 6.7 daily vehicle trips per unit. The Manual estimates that a residential unit will generate 0.51 vehicle trips in the AM peak hour and 0.62 trips in the PM peak hour.

For this proposed rezone, these rates would result in approximately 650 new daily trips, 49 trips in the AM peak hour, and 60 in the PM peak hour from the additional residential units.

A moderate level of bus service exists between the area of the proposed rezone and destinations such as retail, educational and major employment centers downtown and elsewhere. Five bus routes have stops within three blocks of the rezone area. Given the location of the rezone area on an arterial and the opportunities for transit use, the potentially greater number of residential units is not expected to substantially increase the volume of traffic circulation or change the levels of service at nearby intersections relative to development currently allowed under the existing NC1 30' zoning.

Similar ground floor commercial uses would be allowed under both the existing and proposed zoning. However, the maximum size of many commercial uses would be increased from 10,000 square feet to 25,000 square feet. This could result in a small number of somewhat larger

commercial spaces, compared to a potential larger number of smaller spaces allowed under current zoning. The potential change in trip generation and traffic volumes, if any, would depend on the specific development proposed. Individual properties may be more likely to develop given the additional development capacity if the rezone is approved; traffic and transportation impacts of projects exceeding SEPA thresholds will be determined at the time of project application.

### Parking

The parking policy in Section 25.05.675M of the Seattle SEPA Ordinance states that parking impact mitigation may be required only where on-street parking is at capacity as defined by the Seattle Transportation Department or where the development itself would cause on-street parking to reach capacity. Parking utilization in the vicinity appears to be below capacity and on-street parking can be found during the daytime or evening hours. The parking spaces provided on-site in the parking garage must meet the code requirement and would be expected to accommodate the parking demand generated by the project. Mitigation of parking impacts will be considered during the SEPA review of any future proposed project on the rezone site.

### Summary

In conclusion, it is anticipated that the development potential of rezoning the site from NC1-30 to NC2-40 will result in probable adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant. Conditions to mitigate the potential development impacts will be imposed during the SEPA review of future development proposals.

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 2C.

**RECOMMENDED CONDITIONS - SEPA**

None.

**RECOMMENDED CONDITIONS – REZONE**

None.

Signature: (signature on file)

Date: June 28, 2010

Shelley Bolser AICP, LEED AP

Senior Land Use Planner

Department of Planning and Development

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